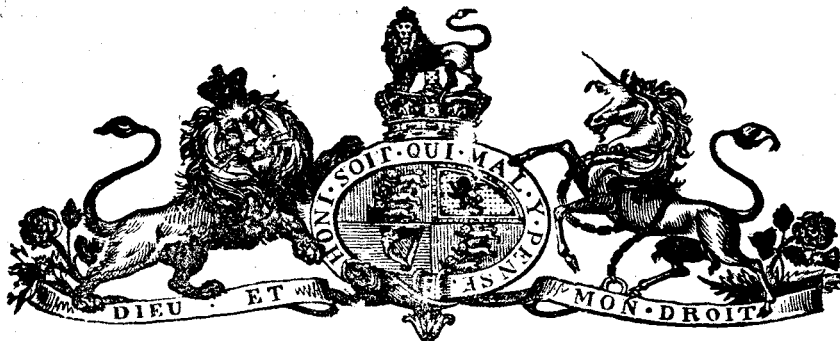


T A S M A N I A.



1873.

ANNO TRICESIMO-SEPTIMO

VICTORIÆ REGINÆ,

No. 11.



AN ACT to amend "The Public Schools Act." A.D. 1873.
[31 October, 1873.]

WHEREAS it is desirable to amend "The Public Schools Act" in certain particulars: PREAMBLE.
32 Vict. No. 14.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 Sections One, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Twenty-four, and the Schedule of "The Public Schools Act" are hereby repealed; but such repeal shall not affect anything duly done or any offence committed before the commencement of this Act, which offence shall be dealt with and punished in the same manner as if this Act had not been passed. Repeal.

2 In the construction of the said Act and this Act, unless inconsistent with the context:— Interpretation.

"Parent" means the father of any child, or in case the father is dead or unable from any cause to have control over such child then the mother of such child, or in case any child is in the custody of a guardian then the guardian of such child:

"Board" means the Board of Education established under the said Act.

Public Schools Amendment Act, 1873.

A.D. 1873.

Children between
7 and 14 must
be sent to school.

3 Subject to the provisions of the said Act and this Act, the parent of every child between Seven and Fourteen years of age shall, in case such child lives within the distance of Two miles from any Public School, measured according to the nearest road from the residence of such child, send such child to school: Provided that the parent of every child between the age of Twelve and Fourteen years shall be exempted from the operation of this Act upon proof being furnished to the Local Board of such child being employed by the parent or being engaged in other service.

Exemption from
attendance.

4 The parent of any child may apply for and receive a certificate from the Local School Board exempting such child from attendance, in whole or in part, at a Public School under the Board of Education, upon satisfying the Local Board of the existence of sufficient grounds for such exemption; and every such certificate of exemption shall state the ground of exemption, and shall be in force for a period of One year, or for such shorter period as may be named in such certificate; and during the period named in such certificate the holder thereof shall be freed from the operation of the provisions of the said Act and this Act in respect of the child named therein.

Parent refusing
to send child to
school may be
summoned before
Two Justices.

5 If the parent of any child between the ages of Seven and Fourteen years, resident within Two miles from a Public School, and not holding any certificate of exemption in respect of such child, refuses or neglects to send such child to such Public School, then and in every such case the parent of such child may be summoned before any Two Justices of the Peace, who may order such parent to send such child to the said School, and may determine whether such child shall be admitted free from all charge, or what sum per week shall be paid by such parent to the Master of such school for the education of such child, not exceeding the maximum rate to be fixed by such regulations as are in force when this Act takes effect or as may be made by the Board thereafter.

Nothing herein contained shall be construed to render any parent compellable to send any child to any such Public School where such child is being privately educated in reading and writing, or is regularly sent to a private or any other Public School, or that the health of such child renders it unable to attend such School, or that such child cannot safely attend School.

Punishment of
parent having
been ordered to
send child to
school.

6 In case any parent, after having been ordered as aforesaid by any Two Justices of the Peace to send any child to a Public School, neglects to obey such order, or having obeyed the same for a time ceases to do so without sufficient cause, such parent shall be liable to a penalty not exceeding Forty Shillings, to be enforced by distress only, and not by imprisonment.

Legal proceed-
ings.

19 Vict. No. 8.

7 All proceedings for school fees, or penalties under the said Act or this Act, may be had and taken in the manner prescribed by *The Magistrates Summary Procedure Act*; and in any information or complaint the allegation that a child is between the ages of Seven and Fourteen years shall be deemed sufficient *prima facie* evidence of the fact until the contrary is proved; and in every case the father, mother, or guardian of any child may be witnesses.

Reserve of Waste
Land for school
purposes.

8 The Governor in Council may exempt from sale and reserve as a School allotment any portion of the Waste Lands of the Crown not exceeding Five acres in extent, not being within a Town; and there-

Public Schools Amendment Act, 1873.

upon the same shall become vested in the Board for the purposes of the said Act and this Act, anything in *The Waste Lands Act* to the contrary notwithstanding. **A.D. 1873.**

9 The Board is hereby empowered to purchase and take, in the mode prescribed by *The Lands Clauses Act*, such land as it may deem necessary for Public School purposes; and subject to the provisions of "The Public Schools Act," and this Act, so much of *The Lands Clauses Act* as relates to the *Purchase of Lands by Agreement* shall be incorporated herewith, and for the purposes of such incorporation the Board shall be deemed the promoters of the undertaking. **Board may purchase and take land.**

10 Where the Board gives notice of its intention to take land for Public School purposes, if the Board deems it inexpedient to pay the amount of compensation determined, it may, within Twenty-one days after notice of the amount of compensation determined on, withdraw the first-mentioned notice, on payment of all the costs of reference and award. **If compensation excessive Board may give up land.**

11 This Act and "The Public Schools Act," save so far as the same is altered or amended by this Act, shall be read and construed together as one Act. **Acts to be read together.**

12 This Act may be cited as "The Public Schools Amendment Act, 1873." **Short title.**

Dear Mr. [Name],

I have received your letter of the 15th and am glad to hear from you. The information you have provided is being reviewed and we will get back to you as soon as possible.

Very truly yours,

[Name]

[Address]

[Additional text]